

EMERGENCY

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATION SUBMISSION

See instruction
(reverse)

For use by Secretary of State only

STD. 400 (REV. 01-08)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2010-0104-02EON
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For use by Office of Administrative Law (OAL) only

2010 JAN -4 PM 2: 05

OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Department of Corrections and Rehabilitation

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Inmate Credit Earning	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 3042
	AMEND 3040,3040.1,3040.2,3041,3041.2,3043,3043.1,3043.3,3043.4,3043.5,3043.6, 3044,3045,3045.1,3045.2,3045.3
	REPEAL 3040.2
TITLE(S) 15	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) <u>Emergency Op Nec. PC 5058.3</u>	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

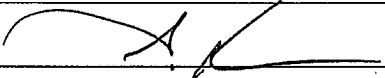
<input type="checkbox"/> Effective 30th day after filing with Secretary of State	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

CONTACT PERSON Kelly Medina	TELEPHONE NUMBER (916) 255-5593	FAX NUMBER (Optional) (916) 255-5601	E-MAIL ADDRESS (Optional) kelly.medina@cdcr.ca.gov
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I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12-16-09
TYPED NAME AND TITLE OF SIGNATORY Scott Kernan, Undersecretary/Operations, CDCR	

Text of Proposed Regulations

In the following text, underlining indicates adopted or amended text; and ~~strikethrough~~ indicates deleted text.

3040. Participation.

Subsection 3040(a) is amended to read:

(a) Every able-bodied person committed to the custody of the Secretary of the Department of Corrections and Rehabilitation is obligated to work as assigned by department staff and by personnel of other agencies to whom the inmate's custody and supervision may be delegated. Assignment may be up to a full day of work, education, or other programs activity, or to a combination of work and education or other programs activity.

Subsection 3040(b) remains unchanged.

Subsection 3040(c) is amended to read:

(c) Except as provided in sections ~~3040.2(d)~~ and 3040(e), a classification committee shall assign each inmate to an appropriate work, education, vocation, therapeutic or other institution program, taking into account the:

Subsections 3040(c)(1) through 3040(c)(5) remain unchanged.

Subsection 3040(d) is amended to read:

(d) Despite an inmate's assignment to a program mutually agreed upon in a classification committee hearing, or pending such a hearing, or pending assignment to a designated program, or during any period when the designated program is temporarily suspended, or in the absence of the inmate's agreement to participate in any programs activity, any able-bodied inmate may be assigned to perform any work deemed necessary to maintain and operate the institution and its services in a clean, safe and efficient manner. Operational needs may always override a program assignment.

Subsections 3040(e) through 3040(f) remain unchanged.

Subsection 3040(g) is amended to read:

(g) Work assignments, in lieu of enrollment and participation in education, vocational, therapeutic or other institution program assignments, may be made with or without the

inmate's consent by a classification committee, a staff member designated as an inmate assignment officer lieutenant, or by any staff member responsible for the supervision of an unassigned inmate.

Subsections 3040(h) through 3040(l)(5) remain unchanged.

Note: Authority cited: Sections 2700, and 5058, Penal Code. Reference: Section 1182, Labor Code; and Sections 502, 2079, 2702, 2933, 5054 and 5068, Penal Code.

3040.1. Substance Abuse Programs for Inmates.

Subsection 3040.1(a) is amended to read:

(a) Prisons may establish substance abuse programs (SAP) ~~as work/training incentive assignments to provide education, work, and other program activities~~ addiction and recovery treatment services to qualifying inmates. An SAP is not intended to provide medical or mental health treatment. Available services and duration of programs may vary, ~~depending upon each participating prison's security needs and space availability~~ as determined by CDCR Adult Program staff.

Subsection 3040.1(b) is amended to read:

(b) A classification committee ~~may~~ shall consider inmates who have a documented history of substance abuse for ~~placement in the~~ assignment to a SAP; ~~placement~~ assignment may be voluntary or involuntary. ~~Inmates who volunteer for participation in the SAP shall be given priority placement.~~

Subsections 3040.1(c) through 3040.1(i) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code.

3040.2. Bridging Education Program.

Existing section 3040.2 through subsection 3040.2(f) are deleted in its entirety.

~~3040.2. Bridging Education Program.~~

~~(a) Each prison shall establish Bridging Education Programs as work/training incentive assignments to provide education programming. Inmates who are undergoing reception center processing, and are day for day credit eligible per Penal Code section 2933, will be assigned to the Bridging Education Program upon their arrival at the reception centers. Inmates who are day for day credit eligible, who are housed in general population institutions, will be eligible to be assigned to the Bridging Education Program.~~

~~(b) An inmate's participation in the Bridging Education Program will be evaluated on course curriculum, instructor evaluation, and completed assignments. Assignment to an approved Bridging Education Program shall qualify as a full time assignment in Work Group A-1.~~

~~(c) Inmates with the following case factors shall not be placed in Bridging Education Programs:~~

~~(1) Inmates who do not meet the criteria to earn day for day credits per Penal Code section 2933, or are sentenced to an indeterminate term, who are undergoing reception center processing.~~

~~(2) Inmates who do not meet the criteria to earn day for day credits per Penal Code section 2933, or are sentenced to an indeterminate term, who are housed at a general population institution.~~

~~(3) Inmates who are housed in segregated housing (e.g., Administration Segregation Unit, Security Housing Unit, Psychiatric Services Unit, etc.).~~

~~(4) Inmates housed in facilities where the Bridging Education Program is not available (e.g., Community Correctional Facilities, Department of Mental Health, etc.).~~

~~(d) The reception center Inmate Assignment Officer shall have the authority to initiate a classification action to assign inmates to reception center Bridging Education Programs and affect a work/training group change. When taking such an action, notification and classification procedural safeguards as described in sections 3375(e) and 3375(f) of these regulations shall not be required.~~

~~(e) General population inmates may be assigned to Bridging Education Programs following a classification committee review as detailed in section 3376.~~

~~(f) A classification committee action shall not be required to remove inmates from Bridging Education Programs if no other changes in work/training group, custody designation or work waiting list is required.~~

~~Note: Authority cited: Sections 5058, Penal Code. Reference: Sections 2933 and 5054, Penal Code.~~

3041. Performance.

Subsection 3041(a) is amended to read:

(a) Inmates must perform assigned tasks diligently and conscientiously. Inmates must not pretend illness, or otherwise evade attendance or avoid performance in assigned work, education and programs activities, or encourage others to do so.

Subsections 3041(b) through 3041(e)(2) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code; and Sections 2297, 2318, 2320 and 1798 et seq., Civil Code.

3041.2. Inmate Pay Rates, Schedule and Exceptions.

Subsection 3041.2(a) remains unchanged.

Subsection 3041.2(a)(1) is amended to read:

(b)(1) Pay Schedule

Skill Level	Minimum/Maximum Hourly	Minimum/Maximum Monthly
Level 1 Lead Person	\$0.32-\$0.37	DOT Skill Level 9 \$48-\$56
Level 2 Special Skill	\$0.19-\$0.32	DOT Skill Levels 7-8 \$29-\$48
Level 3 Technician	\$0.15-\$0.24	DOT Skill Levels 5-6 \$23-\$36
Level 4 Semi-Skilled	\$0.11-\$0.18	DOT Skill Levels 3-4 \$17-\$27
Level 5 Laborer	\$0.08-\$0.13	DOT Skill Levels 1-2 \$12-\$20

Subsections 3041.2(a)(2) through 3041.2(b) remain unchanged.

Subsection 3041.2(c) is amended to read:

(c) Pay increases shall not be automatic or based on the inmate's longevity in an assignment. Increases or reductions in the pay rate shall be based on the work/training

supervisor's recommendation, the inmate's work/training performance reports, subject to review and approval of ~~the work/training incentive coordinator and the inmate assignment authority.~~

Subsections 3041.2(d) through 3041.2(f)(2) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2079, 2811 and 5054, Penal Code.

Existing section 3042 title is amended to read:

3042. Penal Code 2933 Credits For Participation.

New subsections 3042(a) through 3042(a)(1) are adopted to read:

(a) Except where otherwise prohibited by law, effective January 25, 2010, for every six months of continuous incarceration from the date of sentencing to the Department of Corrections and Rehabilitation, an eligible inmate shall be awarded six months reduction in term of imprisonment. A lesser amount of credit based on this ratio shall be awarded for any lesser period of continuous imprisonment. Under no circumstances shall any inmate receive more than six-months credit reduction for any six-month period under this section.

(1) Inmates who have waived their right to credits, as provided in Penal Code section 2934, may, pursuant to PC section 2933, be eligible for a reduction in their term of imprisonment from the date of reception by the department on the effective date of the waiver.

New subsection 3042(a)(2) is renumbered and relocated from existing subsection 3043(c)(1) and is amended to read:

(1)(2) Inmates who have received involuntary civil commitment for narcotic addiction for an offense perpetrated on or after January 1, 1983 are not entitled to PC 2933 credits for good behavior or participation. Good time/participation shall not be calculated for new commitments received on or after August 31, 1995. Time shall be calculated in accordance with the entire sentence imposed by the court including any presentence or post sentence credits which have been granted.

New subsections 3042(a)(3) through 3042(a)(4) are renumbered and relocated from existing subsections 3043(c)(2) through 3043(c)(3) and remain unchanged.

(2)(3) Civil Addict Commitments received prior to August 31, 1995 who are confined at California Rehabilitation Center (CRC) or a branch of CRC and are within 90 days of reaching their Custody Expiration Date (CED) which precedes their Program Expiration

Date (PED); outpatients who are returned to CRC or a branch of CRC; and outpatient violators received prior to August 31, 1995 who have not previously elected to continue participation in the Civil Addict program shall be given two options:

(A) Remain in the Civil Addict Program, or

(B) Request exclusion from the Civil Addict Program and referral to the committing court for the vacating of Civil Addict Commitment and further proceedings on the criminal charges.

~~(3)~~(4) The inmate's choice shall be indicated and signed utilizing the CDC Form 1840 (Rev. 12/95).

New subsection 3042(a)(5) is adopted to read:

(5) PC 2933 Credits awarded may be denied or forfeited due to disciplinary action.

New subsection 3042(b) is renumbered and relocated from existing subsection 3043(g) and remains unchanged.

~~(g)~~(b) Credits for interstate transfer inmates. The Western Interstate Corrections Compact and the Interstate Corrections Compact Agreement enable the Department to transfer and exchange prisoners with other states.

New subsections 3042(b)(1) through 3042(b)(2) are renumbered and relocated from existing subsections 3043(g)(1) through 3043(g)(2) and are amended to read:

~~(g)~~(b)(1) Inmates who agree to serve their term in another state or a federal institution, or who are serving a concurrent term in another jurisdiction, shall be eligible to earn ~~worktime~~ credits as authorized under the provisions of Penal Code sections 2933 and 2933.05.

~~(g)~~(b)(2) Before such credit can be awarded, the inmate's credits ~~work/program~~ participation must be verified by a delegated official of the host institution and reported to the department.

New subsection 3042(c) is renumbered and relocated from existing subsection 3043(d) and remains unchanged.

~~(d)~~(c) Life-term inmates.

New subsections 3042(c)(1) through 3042(c)(2) are renumbered and relocated from existing subsections 3043(d)(1) through 3043(d)(2) and are amended to read:

~~(d)~~(c)(1) Pursuant to PC section 2933, ~~worktime~~ credits shall be applied to reduce the minimum terms of life inmates sentenced only under PC sections 191.5(d), 217.1(b), 667.51(d), 667.7(a)(1) and PC 667.75.

~~(d)~~(c)(2) Inmates sentenced to life terms with determinate sentence law (DSL) enhancements or with a consecutive DSL term shall, except where otherwise prohibited by law, be eligible to receive ~~worktime~~ credits on such terms pursuant to PC section 2933.

New subsection 3042(d) is renumbered and relocated from existing subsection 3043(c)(5) and is amended to read:

~~(5)~~(d) Case records staff shall process and calculate inmate ~~time~~ credits and release dates based upon information provided by the courts and program staff.

New subsection 3042(d)(1) is renumbered and relocated from existing subsection 3043(c)(5)(A) and remains unchanged.

~~(A)~~(1) Any classification or inmate appeal action affecting an inmate's release date, including a change in work group status or credit forfeitures and restorations, shall be forwarded to case records staff. Inmates shall be provided a copy of any change in their release dates.

New subsection 3042(d)(2) is renumbered and relocated from existing subsection 3043(c)(5)(B) and is amended to read:

~~(B)~~(2) Case records staff shall compute ~~worktime~~ credits. The resultant new legal status summary (LSS) shall be forwarded to the inmate. ~~The inmate shall sign a receipt for each LSS provided.~~

Note: Authority cited: Sections 2700 and 5058, Penal Code. Reference: Sections 2931, 2933, 2933.05, 2935, 5054, 6260, 11189 and 11190, Penal Code; Section 3201, Welfare and Institutions Code; In re Monigold, 205 Cal. App. 3d 1224, and People v. Jones, 44 Cal. Rptr. 2d 164 (Cal. 1995).

3043. Credit Earning.

Subsections 3043 Presentence through 3043(b) remain unchanged.

Subsection 3043(c) is amended to read:

~~(c)~~~~Work-time~~ Milestone completion credits.

Existing subsections 3043(c)(1) through 3043(c)(3) are renumbered and relocated to new subsections 3042(a)(2) through 3042(a)(4).

Existing subsection 3043(c)(4) is deleted for ease and simplicity. Part of existing language is relocated and incorporated into new subsection 3042(a)(1).

~~(4) Except where otherwise prohibited by law, inmates serving a determinate term of imprisonment for a crime committed on or after January 1, 1983, or who have waived their right to behavior and participation credits as provided in Penal Code section 2934, may earn a reduction in their term of imprisonment from the date of reception by the department or effective date of the waiver. Such credit reduction may be earned for participation in work, educational or vocational training assignments.~~

Existing subsections 3043(c)(5) through 3043(c)(5)(B) are renumbered and relocated to new subsections 3042(d) through 3042(d)(2).

New subsections 3043(c)(1) through (c)(10) are adopted to read:

(1) Milestone means the achievement of a distinct objective of a CDCR approved rehabilitative program. If an inmate is eligible for program credits pursuant to PC section 2933.05, reaching a milestone allows for awarding of such credits.

(2) In addition to any credit awarded pursuant to section 3042, credit reductions to reduce an eligible inmate's term of confinement may be awarded in increments of not less than one week, but no more than six weeks in a twelve-month period for achievement of specific program performance milestones concluding with the successful completion of in-prison rehabilitative programs approved by CDCR. One week is equivalent to 7 calendar days.

(3) Inmates who have received involuntary civil commitment for narcotic addiction for an offense perpetrated on or after January 1, 1983 are not entitled to milestone completion credits as defined in subsection 3043(c)(1).

(4) For the purposes of this section, in-prison rehabilitative programs shall include, but are not limited to academic programs, vocational programs, substance abuse programs and other core programs such as anger management and social life skills.

(5) Each program milestone shall identify the applicable credit reduction, and shall specify the performance measurement necessary for attainment. Performance measurements may include, but are not limited to the following:

(A) Mastery/Understanding of course curriculum demonstrated by completion of assignments, instructor evaluation and standardized testing.

(B) Comprehension of social life skills program objectives demonstrated by completion of assignments, inmate participation and the use of CDCR-approved assessment tools.

(C) Specific milestone completions and credits awarded shall be established by Adult Programs on the Milestone Completion Credit Schedule (12/09), which is hereby incorporated by reference. All changes to the Milestone Completion Credit Schedule shall

be adopted in accordance with rulemaking requirements of the Administrative Procedures Act (Government Code sections 11340 through 11364).

(6) Program milestones earned in excess of six weeks within a twelve-month period shall be applied at the beginning of the next twelve-month period of continuous incarceration.

(A) For the purposes of this section, the 12-month period shall begin on the date when the first milestone completion credits are completed and verified by the Inmate Assignment Lieutenant.

(B) Within 3 business days of completion of an approved performance milestone, the approved program instructor will certify completion of a milestone via a CDC Form 128-B (Rev. 4/74), General Chrono and forward the document to the Inmate Assignment Office.

(C) Upon receipt of General Chrono, within 3 business days, the inmate assignment lieutenant or custody staff member not less than the rank of lieutenant will verify the inmate's eligibility for milestone completion credits and complete a CDC Form 128-G (Rev. 10/89), Classification Chrono to Case Records.

(7) No milestone completion credits shall be awarded for incomplete performance milestones under any circumstances.

(8) Milestone completion credits awarded may be denied or forfeited due to disciplinary action.

(9) Inmates shall not be eligible for program milestone completion credits that result in an inmate being overdue for release.

(10) Upon parole or discharge, any program milestone completion credits unapplied shall be voided.

Existing subsection 3043(d) through 3043(d)(2) are renumbered and relocated to new subsection 3042(c) through 3042(c)(2).

New subsection 3043(d) is adopted to read:

(d) Inmates assigned to the Western Interstate Corrections Compact or the Interstate Corrections Compact Agreement are eligible to earn Milestone Completion Credits in accordance with section 3042(b).

Subsection 3043(e) remains unchanged.

Subsection 3043(f) is amended to read:

(f) Return from work furlough. An inmate returned to an institution due to disciplinary action or refusal to participate in assigned work, education or vocational assignment shall

be placed in work/training group A-2, ~~one-third credit earning~~, or to workgroup C (non-credit earning) by a re-entry classification committee.

Existing subsections 3043(g) through 3043(g)(2) are renumbered and relocated to new subsections 3042(b) through 3042(b)(2).

Existing subsections 3043(h) through 3043(h)(3) are renumbered and relocated to subsections 3043(g) through 3043(g)(3) and remain unchanged.

~~(h)~~(g) Heroic acts and exceptional assistance. Up to 12 months reduction of sentence may be awarded for the following acts:

- (1) Acts preventing loss of life or injury to the public, staff, or other inmates.
- (2) Acts preventing significant loss or destruction of property.
- (3) Providing sworn testimony in judicial proceedings involving prosecution of a felony offense which occurred within the prison.

New subsection 3043(h) is adopted to read:

(h) Case records staff shall process and calculate inmate Milestone Completion Credits in accordance with subsection 3042(d).

Note: Authority cited: Sections 2700 and 5058, Penal Code. Reference: Sections 2931, 2933, 2933.05, 2935, 5054, 6260, 11189 and 11190, Penal Code; Section 3201, Welfare and Institutions Code; In re Monigold, 205 Cal. App. 3d 1224, and People v. Jones, 44 Cal. Rptr. 2d 164 (Cal. 1995).

3043.1. Waiver.

Subsection 3043.1(a) is amended to read:

(a) Inmates serving a determinate term of imprisonment may waive the right to receive ~~behavior and participation credit~~ and thereafter be eligible to earn milestone completion ~~worktime~~ credits in the amounts provided for in section 3043(c).

Subsections 3043.1(a)(1) through 3043.1(b) remain unchanged.

(c) Eligible inmates wishing to receive ~~worktime~~ credits pursuant to PC sections 2933 and 2933.05 shall present a signed ~~time credit waiver form~~, CDCR Form 916 (Rev. 09/09), Time Credit Waiver, which is hereby incorporated by reference, to their caseworker who shall:

Subsection 3043.1(e) is amended to read:

~~STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS~~

I, _____ (print name) having been committed for an offense which occurred prior to January 1, 1983, understand that conduct credit is granted to me pursuant to Penal Code section 2931. I am aware that under Penal Code section 2931 my term is reduced by one third for good behavior and participation. Such credit reduction is granted at the time of reception into the Department of Corrections and can be taken away only for a disciplinary offense or for failure to participate in assigned activities. (CCR 3043.1)

~~I hereby waive my rights to the provisions of Penal Code section 2931. By making this voluntary waiver, I request that future Time Credit be granted pursuant to Penal Code section 2933. Such credit must be earned and will be awarded only after it is earned. This waiver will be effective only when accepted by the Department. I am also aware that this waiver is irrevocable. (CCR 3043.1)~~

~~I am aware and understand that Time Credit will be granted, based upon my actual performance in the work group to which I am assigned, as follows: (CCR 3043.1)~~

~~Full-Day Assignment: For each six months of full-time assignment, six months credit or one day credit for each day assigned for a lesser period. (CCR 3044)~~

~~Half Day Assignment: For each six months of one half day assignment or enrollment in a two or four year college program leading to a degree, three months credit, or one day for each two days assigned for a lesser period. (CCR 3044)~~

~~Involuntary Unassigned: For each six months on a waiting list, three months credit or one day credit for each two days on a waiting list for a lesser period. See CCR 3044 for additional information. (CCR 3044)~~

~~Voluntarily Unassigned: Zero credit will be earned if I refuse to accept or perform a full-time assignment. (CCR 3044)~~

~~Segregation Following A Disciplinary Infraction: When I am in lockup status due to a disciplinary infraction, zero credit will be earned for a period equal to the number of days of any disciplinary credit loss, this may be extended in six month increments thereafter. (CCR 3044).~~

~~I am aware that my credit earning status may be changed by a classification committee action at any time. I am aware that I may be placed in zero credit earning status due to a work/training disciplinary and/or unsatisfactory work performance. (CCR 3044).~~

~~I am aware and agree that the penalties for a disciplinary offense committed by me have been increased, as follows:~~

~~Up to 360 days of credit may be denied or lost for a single act of misconduct as provided in Section (CCR 3323(c)), whether or not prosecution is undertaken.~~

~~Up to 180 days of credit may be denied or lost for a single act of misconduct as provided in Section (CCR 3323 (d) (e) (f) (g) (h)), whether or not prosecution is undertaken.~~

~~Up to 30 days of credit may be denied or lost for a single act of misconduct defined by regulations as a serious disciplinary offense by the Department of Corrections. (CCR 3323(i))~~

SIGNED:

CDC NUMBER:

DATE: _____

WITNESSED (SIGNATURE): _____

TITLE: _____ DATE: _____

WITNESS' NAME (PRINT/TYPE): _____

~~This waiver is accepted by the Department of Corrections and is effective~~

DATE: _____

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 273a, 273ab, 273d, 667.5, 832.5, 2933, 2933.05, 2933.6, 2934, 3058.6, 3058.9 and 5054, Penal Code.

Existing section 3043.3 title is amended to read:

3043.3. Loss of Behavior, PC 2933, or PC 2933.05 ~~or Worktime Credit.~~

Subsection 3043.3(a) is amended to read:

(a) As used in these regulations, "forfeiture" of credits means loss of credits previously earned or to be earned. Behavior, ~~worktime~~ PC 2933, or PC 2933.05 ~~or credit~~ may be denied or forfeited for the commission of any felony or misdemeanor, whether prosecuted or not, serious rule violation committed after January 1, 1983, or court judgment pursuant to Penal Code ~~S~~sections 2932.5 and 2933 (c).

Subsections 3043.3(a)(1) through 3043.3(a)(4) remain unchanged.

Subsection 3043.3(a)(5) is amended to read:

(5) An inmate found by a court to be a vexatious litigant as defined in ~~S~~section 3000 shall be denied or lose 30 days of ~~worktime~~ credit.

Subsections 3043.3(b) through 3043.3(c) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2932, 2932.5 and 5054, Penal Code.

3043.4. Non-Credit Earning.

Section 3043.4 is amended to read:

An inmate eligible to earn ~~worktime~~ credit, who refuses a full-time qualifying assignment or is placed on non-credit earning status (Work Group C) by a classification committee for frequent work/training violations due to serious disciplinary infractions, shall not receive a ~~worktime earned~~ credit reduction from their sentence until the inmate agrees to accept a qualifying assignment.

New subsections 3043.4(a) through 3043.4(d) are adopted to read:

(a) Inmates placed in SHU, PSU, BMU, or ASU for misconduct due to a serious disciplinary infraction are ineligible to earn credits for a period not to exceed the number of disciplinary credits forfeited.

(b) An inmate who is placed in SHU, PSU, or ASU for misconduct described in subsection (c) or upon validation as a prison gang member or associate is ineligible to earn credits pursuant to section 2933 or 2933.05 during the time he or she is in the SHU, PSU, or ASU for that misconduct.

(c) The following offenses shall exclude an inmate from earning credit:

(1) Murder, attempted murder, and solicitation of murder. For purposes of this paragraph, solicitation for murder shall be proven by the testimony of two witnesses, or of one witness and corroborating circumstances.

(2) Manslaughter.

(3) Assault or battery causing serious bodily injury.

(4) Assault or battery on a peace officer or other non-prisoner which results in physical injury.

(5) Assault with a deadly weapon or caustic substance.

(6) Rape, attempted rape, sodomy, attempted sodomy, oral copulation, or attempts oral copulation accomplished against the victim's will.

(7) Taking a hostage.

(8) Escape or attempted escape with force or violence.

(9) Escape from any departmental prison or institution other than a camp or reentry facility.

(10) Possession or manufacture of a deadly weapon or explosive device.

(11) Arson involving damage to a structure.

(12) Possession of flammable, explosive material with intent to burn any structure of property.

(13) Solicitation of assault with a deadly weapon or assault by means of force likely to produce great bodily injury, arson, or a forcible sex act.

(14) Intentional destruction of state property in excess of four hundred dollars (\$400) during a riot or disturbance.

(d) If a Rules Violation Report (RVR) finding of the misconduct is not guilty or dismissed, or if the inmate is criminally prosecuted for the misconduct and is found not guilty, the inmate may remain eligible for credit earning.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2931, 2932, 2933, 2933.05, 2933.6, 5054 and 5058, Penal Code.

Existing section 3043.5 title is amended to read:

3043.5. ~~Credit Earning~~ Special Assignments.

Subsections 3043.5(a) through 3043.5(a)(2) remain unchanged.

Existing subsection 3043.5(a)(3) is deleted.

~~(3) Bridging Education Program. Assignment to an approved Bridging Education Program as described in section 3040.2, shall qualify as a full time assignment in Work Group A-1.~~

Subsections 3043.5(b) through 3043.5(d) remain unchanged.

Subsection 3043.5(d)(1) is amended to read:

(1) When an inmate has a disability that limits his/her ability to participate in a work, academic, vocational or other such program, medical/psychiatric staff shall document the nature, severity, and expected duration of the inmate's limitations on a CDC Form 128-C (Rev. ~~4/92~~1/96), Chrono-Medical, Psychiatric, Dental. The medical/psychiatric staff shall not make program assignment recommendations or decisions on the form. The CDC Form 128-C shall then be forwarded to the inmate's assigned correctional counselor who will schedule the inmate for a classification committee review. The classification committee shall have the sole responsibility for making program assignment and work group status decisions. Based on the information of the CDC Form 128-C and working in conjunction with staff from the affected work area, academic/vocational program, and the Inmate Assignment Lieutenant or ~~Work Incentive Coordinator~~, the classification committee shall evaluate the inmate's ability to participate in work, academic, vocational, or other programs and make a determination of the inmate's program assignment and work group status.

Subsections 3043.5(d)(2) through 3043.5(h) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2933, 2933.05, 2933.3, 2933.6, 5054 and 5058, Penal Code.

3043.6. Impact of Transfer on Credit Earning

Subsections 3043.6(a) through 3043.6(a)(1) remain unchanged.

Subsections 3043.6(a)(2) through 3043.6(a)(3) are amended to read:

(2) With the exception of inmates assigned to Work Group F, an inmate transferred for non-adverse reasons shall retain their work/training and privilege group status. Inmates assigned to Work Group F shall revert to Work Group A-1 effective the date removed from camp or institution fire fighter assignment.

(3) An inmate in a vocational/training program, educational program, or SAP at the sending institution shall be assigned the same or similar program, if eligible, at the receiving institution unless the program has no vacancy or the program is unavailable. If the receiving institution's program is full or unavailable, the inmate shall be placed on any existing waiting list. If eligible, inmates on waiting lists at sending institutions shall be merged into the receiving institution's waiting list based on credit earning status, release date, and the length of time they have spent on the sending institution's waiting list. Inmates who are day-for-day eligible per Penal Code section 2933 shall be given priority for assignment with the exception of Senate Bill (SB) 618. Participants who, as defined in section 3000, pursuant to the provisions of subsection 3077.3(b)(1), and subject to the provisions of 3077.3(f), shall be placed at the top of an institution's waiting list and given priority for assignment. Inmates shall be merged into the receiving institution's waiting list in the following manner:

Subsections 3043.6(a)(3)(A) through 3043.6(d) remain unchanged.

Existing subsection 3043.6(d)(1) is deleted.

~~(1) Inmates being processed in reception centers, not on layover (en route) status, who are eligible to earn day for day credit per Penal Code section 2933, are eligible to be assigned to a full time Bridging Education work/training program.~~

Existing subsection 3043.6(d)(2) is renumbered and relocated to subsection 3043.6(d)(1) and is amended to read:

~~(2)(1)~~ Inmates being processed in reception centers, who are ineligible to earn day-for-day credits per Penal Code section 2933, can be assigned to half-time ~~work/training programs~~ assignments. Inmates on layover (en route) status in any institution shall only be assigned to half-time ~~work/training programs~~ assignments. Exception to this policy requires approval from the director, division of adult institutions.

Existing subsection 3043.6(d)(3) is renumbered and relocated to subsection 3043.6(d)(2) and remains unchanged.

~~(3)(2)~~ An inmate's participation in a full or half-time assignment while undergoing reception center processing shall be recorded on timekeeping logs. The inmate's timekeeping log shall be completed by the work supervisor on a daily basis. A copy shall be issued to the inmate upon written request.

Subsections 3043.6(e) through 3043.6(e)(1) remain unchanged.

Existing subsection 3043.6(e)(2) is deleted.

~~(2) If SHU assignment is recommended, the committee shall place the inmate in Work Group D-2 effective the date that the inmate was administratively segregated for the instant offense.~~

New subsection 3043.6(e)(2) is adopted to read:

(2) Inmates placed in a SHU, PSU, or in ASU for reasons specified in section 3043.4 shall be placed in workgroup D-2. All other inmates in SHU, PSU, or ASU shall be placed in Work Group D-1. BMU inmates shall be placed in the appropriate workgroup, as designated by committee. The effective date of both workgroups shall be the first day of placement into SHU, PSU, BMU or ASU.

Subsection 3043.6(f) is amended to read:

(f) Community Correctional Center (CCC) transfers. Transfers of inmates approved for a CCC program are considered non-adverse. With the exception of inmates assigned to Work Group F, inmates shall retain their current work group status while en route to a program. Inmates assigned to Work Group F shall revert to Work Group A-1 effective the date removed from the camp or institution fire fighter assignment.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 1203.8, 1364, 2684, 2690, 2933, 2933.05, 2933.3, 2933.6, 5054 and 5058, Penal Code.

Existing section 3044 is amended to read:

3044. Inmate Work and ~~Training Incentive~~ Groups.

Subsections 3044(a) through 3044(a)(2) remain unchanged.

Subsections 3044(b) through 3044(b)(2)(A) are amended to read:

(b) Consistent with the provisions of sections 3375 and ~~3040.2(d)~~ of these regulations, all assignments or reassignments of an inmate to a work/training incentive group shall be by a classification committee action in accordance with this section.

(1) Work Group F: Full-time conservation camp work assignment worker, or correctional institution inmate firefighter who has completed training for an assignment to a conservation camp or correctional institution inmate firefighter. Inmates eligible to earn day-for-day ~~worktime~~ credits under Penal Code section 2933 shall be awarded two days credit for each day of qualifying performance. An inmate's ability to earn two-for-one credit shall not begin until he/she has completed conservation camp training or is assigned as an institutional firefighter. Pursuant to Penal Code section 2933, *Effective July 1, 2009*, inmates currently eligible and assigned as institutional firefighters shall receive two-for-one credit ~~is assigned and reports to an established position in the conservation camp setting.~~ Conservation camp and correctional institution firefighter inmates eligible for two-for-one credit, as defined in this section, may be eligible for Work Group F credit during temporary removals from the conservation camp or correctional institution inmate firefighter setting. Inmates who become ineligible for continued conservation camp placement or as a correctional institution inmate firefighter for any reason shall be removed from Work Group F and assigned to an appropriate Work Group consistent with the remaining provisions of this section.

(2) Work Group A-1: Full-time ~~work/training~~ assignment. Inmates eligible to earn Penal Code section 2933 ~~worktime~~ credits shall be awarded one day credit for each day assigned to this work group. The work day shall not be less than 6.5 hours of work participation and the work week no less than 32 hours of work participation, as designated by assignment. Those programs requiring an inmate to participate during other than the normal schedule of eight-hours-per-day, five-days-per-week (e.g., 10-hours-per-day, four-days-per-week) or programs that are scheduled for seven-days-per-week, requiring inmate attendance in shifts (e.g., three days of 10 hours and one day of five hours) shall be designated as "special assignments" and require departmental approval prior to implementation. A CDC Form 128-B or E ~~chrono shall be placed in the inmate's central file stating the hours of participation required for full-time sentence reduction credits.~~ "Special assignment" shall be entered on the inmate's timekeeping log by the staff supervisor.

(A) Full-time substance abuse programs (SAP), educational and training program. ~~Elementary school, high school, SAP, educational and vocational training programs require the same minimum hourly participation as the full-time work assignment shall not be less than 3 hours of work participation per day and no less than 15 hours of work participation per week, as designated by assignment.~~

Subsections 3044(b)(2)(B) is amended to read:

(B) Combination programs qualifying as full-time. Any combination of half-time work, ~~school~~ Educational or training program resulting in full-time assignment requires the same minimum participation as a regular full-time work assignment. Each combination half-time assignment requires the same minimum participation as a half-time assignment.

Subsection 3044(b)(2)(C) remains unchanged.

Existing subsection 3044(b)(2)(D) is deleted.

~~(D) A full-time Bridging Education Program requiring the same minimum participation as a regular full-time work/training assignment. Participation will be evaluated on course curriculum, instructor evaluation, and completed assignments.~~

Existing subsections 3044(b)(2)(E) through 3044(b)(2)(F) are renumbered and relocated to subsections 3044(b)(2)(D) through 3044(b)(2)(E) and amended to read:

~~(E)~~(D) An inmate diagnosed by a physician and/or psychiatrist as totally disabled and therefore incapable of performing an work/training assignment, shall remain in Work Group A-1 throughout the duration of their total disability.

~~(F)~~(E) An inmate when diagnosed by a physician and/or psychiatrist as partially disabled shall be assigned to an work/training assignment within the physical and/or mental capability of the inmate as determined by the physician and/or psychiatrist, unless changed by disciplinary action.

Subsection 3044(b)(3) is amended to read:

(3) Work Group A-2: Involuntarily unassigned.

An inmate willing but unable to perform in an full-time assignment shall be placed in workgroup A-2. Inmates eligible to earn Penal Code section 2933 credits shall be awarded one day credit for each day assigned to this work group receive three months credit for each six months served, or one day for each two days served, in the following status:

Subsection 3044(b)(3)(A) is amended to read:

(A) The inmate is placed on a waiting list pending availability of an full-time work/training assignment.

Subsection 3044(b)(3)(B) remains unchanged.

Subsection 3044(b)(4) is amended to read:

(4) Work Group B: Half-time work/training assignment. Half-time programs shall normally consist of an work/training assignment of four hours per workday, excluding meals, five-days-per-week, or full-time enrollment in college consisting of 12 units in credit courses leading to an associate or bachelor's degree. Inmates eligible to earn Penal Code section 2933 credits shall be awarded one day credit for each day assigned to this work group. The work day shall be no less than three hours and the work week no less than 15 hours.

Subsections 3044(b)(5) through 3044(b)(5)(B) are amended to read:

(5) Work Group C: ~~Voluntary~~ Disciplinary unassigned. Zero credit.

(A) Any inmate who refuses to accept or perform in an work/training assignment, or who is deemed a program failure as defined in Section 3000, and ~~who is placed on non-credit earning status by a classification committee shall earn zero time worktime credits.~~ shall be placed in Work Group C for a period not to exceed the number of disciplinary credits forfeited due to the serious disciplinary infraction.

(B) An inmate shall remain in zero credit earning status, not to exceed the amount of disciplinary credits forfeited, and shall revert to his/her previous workgroup upon completion of the credit forfeiture. Inmates shall be returned to a classification committee until classified for placement in a credit-qualifying work-group on an appropriate waiting list. An inmate must submit a written request for reclassification to be considered for assignment and removal from Work Group C no earlier than 30 days from the date of placement. The inmate shall be scheduled for a hearing within 30 days of receipt of the written request.

Subsection 3044(b)(6) is amended to read:

(6) Work Group D-1: Indeterminate Lockup status. Except as provided in section 3044(b)(7)(C), an inmate assigned to a segregated housing program, shall be awarded three months credit for each six months served or one day credit for two days served. Inmates assigned to a segregated housing program, except for reasons specified within section 3043.4, shall be awarded one day credit for each day assigned to this work group. Segregated housing shall include, but not be limited to, the following:

Subsections 3044(b)(6)(A) through 3044(b)(6)(C) remain unchanged.

Subsection 3044(b)(7) is amended to read:

(7) Work Group D-2: Lockup Status. Serving SHU term, deemed a program failure while on indeterminate or determinate lockup status, or voluntarily unassigned at the time of or subsequent to placement in ASU, SHU, or PSU. Inmates placed in SHU, PSU, or ASU for misconduct described in Penal Code section 2933.6 or upon validation as a prison gang member or associate are ineligible to earn credits during placement in SHU, PSU, or ASU. Inmates placed in SHU, PSU, or ASU due to any other serious disciplinary infraction are ineligible to earn credits for a period not to exceed the number of disciplinary credits forfeited. Zero credit.

Subsections 3044(b)(7)(A) through 3044(b)(7)(B) remain unchanged.

Existing subsection 3044(b)(7)(C) is deleted.

~~(C) An inmate in, ASU, SHU, or PSU, on indeterminate or determinate lockup status, who is deemed a program failure as defined in section 3000, may be assigned Work Group D-2 by a classification committee. An inmate assigned to Work Group C at the time of placement in ASU, SHU, or PSU, or who refuses to accept or perform work/training assignments, shall be assigned Work Group D-2. An inmate assigned to Work Group D-2 pursuant to this section must submit a written request for reclassification to be considered for removal from that Work Group. If Work Group D-2 has been assigned based solely upon the inmate already being assigned to Work Group C at the time of placement in ASU, SHU, or PSU, the request may be submitted no earlier than 30 days from the original Work Group C assignment date. If Work Group D-2 has been assigned following placement into ASU, SHU, or PSU, for refusing to accept or perform a work/training assignment, or for being deemed a program failure as defined in section 3000, the request for removal must be submitted no earlier than 30 days from the date Work Group D-2 was assigned. Subsequent to the mandatory 30 days placement on Work Group D-2, if the inmate submits a written request for removal, and Work Group D-2 has not been assigned pursuant to section 3044(b)(7)(A) or 3044(b)(7)(B), a hearing shall be scheduled within 30 days of receipt of the written request to consider removal from Work Group D-2.~~

New subsection 3044(b)(7)(C) is adopted to read:

(C) If the administrative finding of the misconduct is overturned or if the inmate is criminally prosecuted for the misconduct and is found not guilty, credit earning status shall be restored to the inmate's previously-designated workgroup at the time of placement into segregated housing.

Subsection 3044(b)(8) is amended to read:

(8) Work Group U: Unclassified. An inmate undergoing reception center processing is in this status from the date of their reception until classified at their assigned institution, unless the inmate is assigned to a full time Bridging Education Program as described in this section. An inmate on unclassified status shall be granted three months credit for each six months served or one day credit for each two days served. Inmates eligible to earn Penal Code section 2933 credits shall be awarded one day credit for each day assigned to this work group.

Subsections 3044(c) through 3044(c)(2) are amended to read:

(c) Privileges. Privileges for each work/training incentive group shall be those privileges earned by the inmate. Inmate privileges are administratively authorized activities and benefits required of the secretary, by statute, case law, governmental regulations, or executive orders. Inmate privileges shall be governed by an inmate's behavior, custody classification and assignment. A formal request or application for privileges is not required unless specified otherwise in this section. Institutions may provide additional incentives for each privilege group, subject to availability of resources and constraints imposed by security needs.

(1) To qualify for privileges generally granted by this section, an inmate shall comply with rules and procedures and participate in assigned ~~work/training~~ activities.

(2) Privileges available to a ~~work/training incentive~~ group may be denied, modified, or temporarily suspended by a hearing official at a disciplinary hearing upon a finding of an inmate's guilt for a disciplinary offense as described in sections 3314 and 3315 of these regulations or by a classification committee action changing the inmate's custody classification, ~~work/training~~ group, privilege group, or institution placement.

Subsection 3044(c)(3) remains unchanged.

Subsection 3044(c)(4) is amended to read:

(4) A permanent change of an inmate's privilege group shall be made only by classification committee action under provisions of section 3375. Disciplinary or classification committee action changing an inmate's privileges or privilege group shall not automatically affect the inmate's ~~work/training~~ group classification. ~~Worktime credit earning shall be affected only by a work/training group change by a classification committee.~~

Subsections 3044(c)(5) through 3044(c)(6) remain unchanged.

Subsection 3044(c)(6)(A) is amended to read:

(A) An inmate housed in an ASU, SHU, or PSU shall be designated Privilege Group D. ~~However, if assigned to a qualifying work/training program within the special housing unit, the inmate shall be assigned privileges of a higher group, if such privileges are available within the assigned housing unit.~~

Existing subsection 3044(c)(6)(B) is deleted.

~~(B) An inmate working in lockup units while serving a determinate SHU terms shall be retained in Privilege Group D only, irrespective of their work/training assignment.~~

Existing subsection 3044(c)(6)(C) is renumbered and relocated to 3044(c)(6)(B) and remains unchanged.

~~(C)(B)~~ An inmate removed from the general population for disciplinary or administrative reasons shall surrender their privilege card to staff.

Subsections 3044(c)(7) through 3044(c)(8)(B) remain unchanged.

Subsection 3044(c)(8)(C) is amended to read:

(C) The inmate's good conduct and satisfactory participation an ~~work/training~~ assignment.

Subsection 3044(c)(9) is amended to read:

(9) Inmates returned to custody from parole may be eligible to receive privileges based upon their satisfactory participation in an work/training assignment.

Subsections 3044(d) through 3044(d)(1) remain unchanged.

Subsection 3044(d)(1)(A) is amended to read:

(A) Full-time work/training assignment as defined in section 3044(a).

Subsections 3044(d)(1)(B) through 3044(e)(1) remain unchanged.

Subsection 3044(e)(1)(A) is amended to read:

(A) Half-time work/training assignment as defined in section 3044(a) or involuntarily unassigned as defined in section 3044(a) or involuntarily unassigned as defined in section 3044(b).

Subsections 3044(e)(1)(B) through 3044(f)(1) remain unchanged.

Subsection 3044(f)(1)(A) is amended to read:

(A) The inmate who refuses to accept or perform in an work/training assignment or is deemed a program failure as defined in section 3000.

Subsections 3044(f)(1)(B) through 3044(g) remain unchanged.

Subsection 3044(g)(1) is amended to read:

(1) Criteria: Any inmate housed in a special segregation unit, voluntarily or under the provisions of sections 3335-3345 of these regulations who is not assigned to either a full-time or half-time work/training assignment.

Subsections 3044(g)(2) through 3044(i) remain unchanged.

Note: Authority cited: Section 2700, 2701, 5058, Penal Code. Reference: Sections 2932, 2933, 2933.05, 2933.3, 2933.6, 2935, 5005, 5054 and 5058, Penal Code; and In re Monigold, 205 Cal. App. 3d 1224 (1988).

3045. Timekeeping and Reporting

Subsections 3045(a) through 3045(a)(1) are amended to read:

(a) Inmate timekeeping logs. The attendance and/or participation of each assigned inmate assigned to a credit qualifying assignment shall be recorded daily on an approved timekeeping log. If the assignment began or ended during the reporting month, the date(s) of such activity shall be recorded on the timekeeping log. Only the symbols designated on the timekeeping log shall be used to document the inmate's attendance. The symbol(s) and applicable hours for each day shall be recorded in the space corresponding to the calendar day. This log shall be the reference for resolving complaints or appeals and shall be retained at a secure location designated by the facility management for a period of 4 years from the date of completion.

(1) Staff shall record the work or training time and absences of each inmate assigned to their supervision ~~each day~~ as they occur. At intervals designated by the institution head, the supervisor shall:

Subsections 3045(a)(1)(A) through 3045(b) remain unchanged.

Note: Authority cited: Section 2700, 2701, 5058, Penal Code. Reference: Sections 2932, 2933, 2933.05, 2933.6, 2935, 5005, 5054 and 5068, Penal Code; and In re Monigold, 205 Cal. App. 3d 1224.

3045.1. Timekeeping for Inmates in Administrative Segregation.

Subsections 3045.1(a) through 3045.1(a)(2) are amended to read:

(a) A classification committee shall evaluate the reasons for an inmate's administrative segregation (~~ad-seg~~ ASU) placement to ensure appropriate ~~worktime~~ credits are awarded the inmate. If the placement was for:

(1) A disciplinary infraction for which the finding was not guilty or pending an investigation where the inmate was released, the inmate shall retain their work/~~training~~ group status at the time of their placement in ~~ad-seg~~ ASU unless otherwise impacted by a classification or disciplinary action.

(2) A disciplinary infraction for misconduct described in section 3043.4 for which the finding was guilty and ~~the assessment of a SHU term~~ a SHU term assessed, the inmate

~~shall be placed~~ remain in Work Group D-2 for the period of the credit loss assessment effective the date of their placement in ~~ad-seg~~ ASU.

Note: Authority cited: Section 2700, 2701, 5058, Penal Code. Reference: Sections 2932, 2933, 2933.05, 2933.6, 2935, 5005, 5054 and 5068, Penal Code; and In re Monigold, 205 Cal. App. 3d 1224.

3045.2. Excused Time Off (ETO).

Subsection 3045.2(a) is amended to read:

(a) It is the policy of the California Department of Corrections that inmates assigned to work/~~training~~ groups A-1 and B may use excused time off (ETO) during approved absences from their assigned work/~~training~~ assignment in the manner set forth in this article.

Subsection 3045.2(b) remains unchanged.

Subsection 3045.2(c) is amended to read:

(c) Inmates who are ill may use ETO, but will be responsible for notifying the work/~~training~~ supervisor. Sick time must be approved/authorized by the appropriate institution medical authority. Upon becoming capable of performing medically unrestricted work activities the inmate will be given priority to resume his/her previous assignment. If the assignment is not immediately available, the inmate will be placed in an assignment in his/her previous work/~~training~~ group category.

Subsections 3045.2(d) through 3045.2(d)(6) remain unchanged.

Subsection 3045.2(e) is amended to read:

(e) Excused time off applies only to authorized time away from an ~~the~~ work/~~training~~ assignment.

Subsection 3045.2(f) remains unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2601, 2620, 2621, 2931, 2933 and 5054, Penal Code.

3045.3. "S" Time.

Subsection 3045.3(a) is amended to read:

(a) "S" time shall be noted on timekeeping documents for an authorized absence from the inmate's work/training assignment by order of the prison administration. The inmate shall receive sentence-reducing credit commensurate with their designated work group. Inmates who are removed from their work/training assignment for the reasons noted below, shall retain their existing work/training group status unless otherwise impacted by a classification committee or disciplinary action.

Subsections 3045.3(b) through 3045.3(b)(12) remain unchanged.

Subsection 3045.3(b)(13) is amended to read:

(13) A temporary interruption or delay in the inmate's work/training assignment which is no fault of the inmate.

Subsections 3045.3(b)(14) through 3045.3(b)(17) remain unchanged.

Subsection 3045.3(b)(18) is amended to read:

(18) Delay in reporting to an work/training assignment because of delayed meal schedule, unlocks, and clearing of the institutional count.

Subsections 3045.3(b)(19) through 3045.3(b)(22) remain unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 673, 1170, 2690, 2933, 2933.05, 2933.6 and 5054, Penal Code.

MILESTONE COMPLETION CREDIT SCHEDULE

Vocational Milestone Descriptions and Codes			
Auto Body			
Auto Body	Detailing/Painting/ Refinishing	V01L100	2 weeks
Auto Body	Non-Structural Damage	V01L200	3 weeks
Auto Body	Structural Damage	V01L300	2 weeks
Auto Body	Mechanical and Electrical	V01L400	3 weeks
Auto Mechanics			
Auto Mechanics	Basic Auto	V02L100	2 weeks
Auto Mechanics	Engine Service Repair	V02L200	2 weeks
Auto Mechanics	Auto Trans and Transaxles	V02L300	2 weeks
Auto Mechanics	Man. Trans and Transaxles	V02L400	2 weeks
Auto Mechanics	Suspension and Steering	V02L500	3 weeks
Auto Mechanics	Brake Installation	V02L600	2 weeks
Auto Mechanics	Electrical Systems	V02L700	2 weeks
Auto Mechanics	Heating and A/C	V02L800	2 weeks
Auto Mechanics	Engine Performance	V02L900	3 weeks
Cosmetology			
Manicuring	Manicuring	V03L100	3 weeks
Manicuring	License Award	V03L200	3 weeks
Electronics			
Electronics	Customer Service Specialist	V04L100	2 weeks
Electronics	Associate Certified Electronic Technician	V04L200	3 weeks
Electronics	Network Cable Technician Tier I	V04T100	1 week
Electronics	Network Cable Technician Tier II	V04T200	1 week
Electronics	Network Cable Technician Tier III	V04T300	1 week
Machine Shop			
Machine Shop	Quality Control	V050100	1 week
Machine Shop	Material Cutting	V050200	1 week
Machine Shop	Drill Press Operator	V050300	1 week
Machine Shop	Lathe Operator	V050400	1 week
Machine Shop	Milling Machine Operator	V050500	1 week
Machine Shop	Tool Grinder Operator	V050600	1 week
Machine Shop	CNC Mill & Lathe Operator	V050700	1 week
Office Services and Related Technology			
OSRT	Microsoft Word	V060100	2 weeks
OSRT	Microsoft Excel	V060200	2 weeks
OSRT	Microsoft PowerPoint	V060300	2 weeks
OSRT	Microsoft Access	V060400	2 weeks
OSRT	IC 3	V060500	2 weeks
Small Engine Repair			
Small Engine Repair	Electrical	V07L100	2 weeks
Small Engine Repair	2 Cycle	V07L200	3 weeks
Small Engine Repair	4 Cycle	V07L300	2 weeks
Small Engine Repair	Diesel	V07L400	2 weeks
Carpentry			
Carpentry	Core	V0801C0	1 week
Carpentry	Level I	V0801L1	2 weeks
Carpentry	Level II	V0801L2	2 weeks

Vocational Milestone Descriptions and Codes
Continued

Building Maintenance			
Building Maintenance	Core	V0906C0	1 week
Building Maintenance	Level I	V0906L1	2 weeks
Building Maintenance	Level II	V0906L2	2 weeks
Electrical			
Electrical	Core	V1005C0	1 week
Electrical	Level I	V1005L1	2 weeks
Electrical	Level II	V1005L2	2 weeks
Electrical	Level III	V1005L3	2 weeks
Electrical	Level IV	V1005L4	2 weeks
HVAC			
HVAC	Core	V1107C0	1 week
HVAC	Level I	V1107L1	2 weeks
HVAC	Level II	V1107L2	2 weeks
HVAC	Level III	V1107L3	2 weeks
HVAC	Level IV	V1107L4	2 weeks
Masonry			
Masonry	Core	V1202C0	1 week
Masonry	Level I	V1202L1	2 weeks
Masonry	Level II	V1202L2	2 weeks
Masonry	Level III	V1202L3	2 weeks
Plumbing			
Plumbing	Core	V1304C0	1 week
Plumbing	Level I	V1304L1	1 week
Plumbing	Level II	V1304L2	1 week
Plumbing	Level III	V1304L3	1 week
Plumbing	Level IV	V1304L4	1 week
Sheet Metal			
Sheet Metal	Core	V1402C0	1 week
Sheet Metal	Level I	V1402L1	2 weeks
Sheet Metal	Level II	V1402L2	2 weeks
Sheet Metal	Level III	V1402L3	2 weeks
Welding			
Welding	Core	V1503C0	1 week
Welding	Level I	V1503L1	2 weeks
Welding	Level II	V1503L2	2 weeks
Welding	Level III	V1503L3	2 weeks

Academic Milestone Descriptions and Codes

ABE I			
ABE I	0.0 - 1.9 grade point level	A010100	2 weeks
ABE I	2.0 - 2.9 grade point level	A010200	2 weeks
ABE I	3.0 - 3.9 grade point level	A010300	2 weeks
ABE II			
ABE II	4.0 - 4.9 grade point level	A020400	2 weeks
ABE II	5.0 - 5.9 grade point level	A020500	2 weeks
ABE II	6.0 - 6.9 grade point level	A020600	2 weeks
ABE III			
ABE III	7.0 - 7.9 grade point level	A030700	2 weeks
ABE III	8.0 - 8.9 grade point level	A030800	2 weeks
ABE III	9.0 - 9.9 grade point level	A030900	2 weeks
General Education Development			
GED	Reading Comprehension subtest	G010100	1 week
GED	Social Studies subtest	G010200	1 week
GED	Mathematics subtest	G010300	1 week
GED	Science subtest	G010400	1 week
GED	U.S. History subtest	G010500	1 week
GED	GED Completion	G020100	1 week
High School			
HS	English	H010100	1 week
HS	Social Science	H010200	1 week
HS	Mathematics	H010300	1 week
	General/Life Science	H010401	1 week
HS	Earth/Physical Science	H010402	1 week
HS	U.S. History / Geography	H010501	1 week
HS	World History / Geography	H010502	1 week
HS	American Government	H010600	1 week
HS	Economics	H010700	1 week
HS	Fine Arts or Foreign Language	H010800	1 week
HS	Health	H010900	1 week
HS	Job/Career Exploration	H011000	1 week
HS	Elective 1	H011201	1 week
HS	Elective 2	H011202	1 week
HS	Elective 3	H011203	1 week
College			
College	1 unit completed	C010101	1 week
College	2 units completed	C010102	2 weeks
College	3 units completed	C010103	3 weeks
College	4 units completed	C010104	4 weeks
College	5 units completed	C010105	5 weeks
College	6 units completed	C010106	6 weeks
College	7 units completed	C010107	7 weeks
College	8 units completed	C010108	8 weeks
College	9 units completed	C010109	9 weeks
College	10 units completed	C010110	10 weeks
College	11 units completed	C010111	11 weeks

Academic Milestone Descriptions and Codes

Continued

College Continued

College	12 units completed	C010112	12 weeks
College	13 units completed	C010113	13 weeks
College	14 units completed	C010114	14 weeks
College	15 units completed	C010115	15 weeks
College	16 units completed	C010116	16 weeks
College	17 units completed	C010117	17 weeks
College	18 units completed	C010118	18 weeks

Literacy

Literacy	CASAS Benchmark 1	L010101	2 weeks
Literacy	CASAS Benchmark 2	L010102	2 weeks
Literacy	CASAS Benchmark 3	L010103	2 weeks
Literacy	CASAS Benchmark 4	L010104	2 weeks
Literacy	CASAS Benchmark 5	L010105	2 weeks
Literacy	CASAS Benchmark 6	L010106	2 weeks
Literacy	CASAS Benchmark 7	L010107	2 weeks
Literacy	CASAS Benchmark 8	L010108	2 weeks
Literacy	CASAS Benchmark 9	L010109	2 weeks
Literacy	CASAS Benchmark 10	L010110	2 weeks
Literacy	CASAS Benchmark 11	L010111	2 weeks
Literacy	CASAS Benchmark 12	L010112	2 weeks

Substance Abuse Program

SAP	Course Completion	S010100	6 weeks
CSAP (CCF)	Course Completion	S020100	6 weeks

Core Programs

Criminal Thinking	Thinking for Change (T4C) Course Completion	T4C0100	1 week
Anger Management	Controlling Anger – Learning to Live with It (CALM) or Aggression Replacement Training (ART) Course Completion	CLM0100	1 week

Institution Firefighters

Firefighting (Inst)	Basic Firefighter Block Training	FH10100	2 weeks
Firefighting (Inst)	State Fire Marshal-approved Firefighter 1 Training	FH10200	2 weeks
Firefighting (Inst)	First Responder Medical Training	FH10300	1 week
Firefighting (Inst)	Hazardous Materials/Confined Space Training	FH10400	1 week

Camp Firefighters

Firefighting (Camp)	Physical Fitness/Firefighter Training*	FC10100	1 week
Firefighting (Camp)	Fire Brigade Training	FC10200	1 week
Firefighting (Camp)	Waste-Water Certificate-Grade 1	FC10300	4 weeks
Firefighting (Camp)	Waste-Water Certificate-Grade 2	FC10400	4 weeks
Firefighting (Camp)	Water Treatment Certificate – Grade 1	FC10500	1 week
Firefighting (Camp)	Water Treatment Certificate – Grade 2	FC10600	1 week
Firefighting (Camp)	Distribution Certificate – Grade 1	FC10700	1 week
Firefighting (Camp)	Distribution Certificate – Grade 2	FC10800	1 week
Firefighting (Camp)	Basic Helicopter S-271	FC10900	2 weeks

*Credit will be awarded upon assignment to camp.

Prison Industries Authority Milestone Descriptions and Codes

Am. Board of Opt	Optician	PBOPT01	6 weeks
Am. Institute of Baking	Bread/Rolls	PIBAK01	1 week
Am. Institute of Baking	Cake/Sweet Goods	PIBAK02	1 week
Am. Institute of Baking	Foundations	PIBAK03	1 week
Am. Institute of Baking	Ingredient Technician	PIBAK04	1 week
Am. Institute of Baking	Science of Baking	PIBAK05	1 week
Am. Welding Society	MIG – GMAW-1	PWEL001	1 week
Am. Welding Society	TIG – GTAW-1	PWEL002	2 weeks
Am. Welding Society	TIG – GTAW-2	PWEL003	2 weeks
Am. Welding Society	TIG – GTAW-3	PWEL004	2 weeks
Braille	Level I	PBRAL01	1 week
Braille	Level II	PBRAL02	1 week
Braille	Level III	PBRAL03	1 week
Braille	Level IV	PBRAL04	1 week
Braille	Level V	PBRAL05	1 week
CA Dept. Food & Ag.	Artificial Insemination License	PFOOD01	1 week
CA Dept. Food & Ag.	Pasteurizer License	PFOOD02	2 weeks
CA Dept. Food & Ag.	Sampler/Weigher License	PFOOD03	1 week
Electron Tech Assn	Customer Service Specialist	PELEC01	2 weeks
Electron Tech Assn	Certified Electronics Technician	PELEC02	3 weeks
Electron Tech Assn	Journeyman (Industrial)	PELEC03	8 weeks
Environ Protection Acy	Major Refrigeration Repair Certification	PEPA001	4 weeks
FEMA	Decision Making	PFEMA01	2 weeks
FEMA	Effective Communication	PFEMA02	2 weeks
FEMA	Hazardous Materials	PFEMA03	2 weeks
Hyster	Forklift	PFORK01	2 weeks
KY Workplace Essentials	Business Reading	PKYWK01	2 weeks
KY Workplace Essentials	Business Math	PKYWK02	2 weeks
KY Workplace Essentials	Business Communication & Writing	PKYWK03	2 weeks
KY Workplace Essentials	Employment Readiness	PKYWK04	2 weeks
Nat Assn Linen Mgt	Certified Linen Technician	PLIN001	3 weeks
Nat Assn Linen Mgt	Certified Washroom Technician	PLIN002	2 weeks
Nat Assn Linen Mgt	Certified Laundry Linen Manager	PLIN003	2 weeks
Nat Inst Metal Skills	Machining, Level I	PMET001	2 weeks
Nat Inst Metal Skills	Metal Forming, Level I	PMET002	2 weeks
Nat Inst Metal Skills	Metal Forming, Level II	PMET003	2 weeks
Nat Restaurant Assn	ServSafe Essentials	PREST01	1 week
Nat Restaurant Assn	ServSafe Employee Guide	PREST02	2 weeks
No Am Tech Excellence	Installation: HVAC – A/C	PHVAC01	2 weeks
No Am Tech Excellence	Installation: HVAC – Air Distribution	PHVAC02	2 weeks
No Am Tech Excellence	Installation: Pumps – Heat Pumps	PHVAC03	2 weeks
No Am Tech Excellence	Installation: Pumps – Gas Heat	PHVAC04	4 weeks
No Am Tech Excellence	Installation: Pumps – Oil Heat	PHVAC05	2 weeks

Prison Industries Authority
Continued

No Am Tech Excellence	Service HVAC – A/C	PHVAC06	2 weeks
No Am Tech Excellence	Service: HVAC – Air Distribution	PHVAC07	2 weeks
No Am Tech Excellence	Service: Pumps – Heat Pumps	PHVAC08	2 weeks
No Am Tech Excellence	Service: Pumps – Gas Heat	PHVAC09	4 weeks
No Am Tech Excellence	Service: Pumps – Oil Heat	PHVAC10	2 weeks
Print Indust of America	Sheet-fed Offset Press	PPRNT01	2 weeks
Print Indust of America	Web Offset Press	PPRNT02	2 weeks
Print Indust of America	Imaging Skills	PPRNT03	2 weeks
Print Indust of America	Bindery	PPRNT04	2 weeks
Product. Training Corp	Dental Technician	PDTEC01	6 weeks
Stiles Machinery Inc	Intermed. Weeke Machining Center Prog.	PSTIL01	2 weeks
Career Tech Ironworker	Core-Classroom Curriculum	PCIRN01	2 weeks
Career Tech Ironworker	Horizontal Welding	PCIRN02	1 week
Career Tech Ironworker	Vertical Welding	PCIRN03	1 week
Career Tech Ironworker	Overhead Welding	PCIRN04	1 week
Career Tech Ironworker	Pipe Welding	PCIRN05	1 week
Career Tech Carpentry	Core-Classroom Curriculum	PCCAR01	4 weeks
Career Tech Carpentry	Tool/Mechanical Aptitude	PCCAR02	2 weeks
Career Tech Carpentry	Lead Worker/Mentor Training	PCCAR03	2 weeks
Career Tech Dive	Rigger Course Program	PCDIV01	1 week
Career Tech Dive	Top Side Welder Course Program	PCDIV02	1 week
Career Tech Dive	Dive Tender Course Program	PCDIV03	4 weeks
Career Tech Dive	Mixed Gas Rack Operator Course Prog.	PCDIV04	4 weeks
Career Tech Dive	Commercial Diver/Commercial Dive Insp.	PCDIV05	7 weeks

**Community Correctional Facilities Administration (CCF)
Milestone Completion Credit Schedule**

Vocational Milestone Descriptions and Codes

Electronics			
Electronics	Network Cable Technician Tier I	V04T100	1 week
Electronics	Network Cable Technician Tier II	V04T200	1 week
Electronics	Network Cable Technician Tier III	V04T300	1 week
Office Services and Related Technology			
OSRT	Microsoft Word	V060100	2 weeks
OSRT	Microsoft Excel	V060200	2 weeks
OSRT	Microsoft PowerPoint	V060300	2 weeks
OSRT	Microsoft Access	V060400	2 weeks
OSRT	IC 3	V060500	2 weeks
Carpentry			
Carpentry	Core	V0801C0	1 week
Carpentry	Level I	V0801L1	2 weeks
Carpentry	Level II	V0801L2	2 weeks
Building Maintenance			
Building Maintenance	Core	V0906C0	1 week
Building Maintenance	Level I	V0906L1	2 weeks
Building Maintenance	Level II	V0906L2	2 weeks
Electrical			
Electrical	Core	V1005C0	1 week
Electrical	Level I	V1005L1	2 weeks
Electrical	Level II	V1005L2	2 weeks
Electrical	Level III	V1005L3	2 weeks
Electrical	Level IV	V1005L4	2 weeks
HVAC			
HVAC	Core	V1107C0	1 week
HVAC	Level I	V1107L1	2 weeks
HVAC	Level II	V1107L2	2 weeks
HVAC	Level III	V1107L3	2 weeks
HVAC	Level IV	V1107L4	2 weeks
Plumbing			
Plumbing	Core	V1304C0	1 week
Plumbing	Level I	V1304L1	1 week
Plumbing	Level II	V1304L2	1 week
Plumbing	Level III	V1304L3	1 week
Plumbing	Level IV	V1304L4	1 week

CCF Academic Milestone Descriptions and Codes

ABE I			
ABE I	0.0 - 1.9 grade point level	A010100	2 weeks
ABE I	2.0 - 2.9 grade point level	A010200	2 weeks
ABE I	3.0 - 3.9 grade point level	A010300	2 weeks
ABE II			
ABE II	4.0 - 4.9 grade point level	A020400	2 weeks
ABE II	5.0 - 5.9 grade point level	A020500	2 weeks
ABE II	6.0 - 6.9 grade point level	A020600	2 weeks
ABE III			
ABE III	7.0 - 7.9 grade point level	A030700	2 weeks
ABE III	8.0 - 8.9 grade point level	A030800	2 weeks
ABE III	9.0 - 9.9 grade point level	A030900	2 weeks
General Education Development			
GED	Reading Comprehension subtest	G010100	1 week
GED	Social Studies subtest	G010200	1 week
GED	Mathematics subtest	G010300	1 week
GED	Science subtest	G010400	1 week
GED	U.S. History subtest	G010500	1 week
GED	GED Completion	G020100	1 week
High School			
HS	English	H010100	1 week
HS	Social Science	H010200	1 week
HS	Mathematics	H010300	1 week
HS	General/Life Science	H010401	1 week
HS	Earth/Physical Science	H010402	1 week
HS	U.S. History / Geography	H010501	1 week
HS	World History / Geography	H010502	1 week
HS	American Government	H010600	1 week
HS	Economics	H010700	1 week
HS	Fine Arts or Foreign Language	H010800	1 week
HS	Health	H010900	1 week
HS	Job/Career Exploration	H011000	1 week
HS	Elective 1	H011201	1 week
HS	Elective 2	H011202	1 week
HS	Elective 3	H011203	1 week
College			
College	1 unit completed	C010101	1 week
College	2 units completed	C010102	2 weeks
College	3 units completed	C010103	3 weeks
College	4 units completed	C010104	4 weeks
College	5 units completed	C010105	5 weeks
College	6 units completed	C010106	6 weeks
College	7 units completed	C010107	7 weeks
College	8 units completed	C010108	8 weeks
College	9 units completed	C010109	9 weeks
College	10 units completed	C010110	10 weeks
College	11 units completed	C010111	11 weeks
College	12 units completed	C010112	12 weeks

CCF Academic Milestone Descriptions and Codes

Continued

College	13 units completed	C010113	13 weeks
College	14 units completed	C010114	14 weeks
College	15 units completed	C010115	15 weeks
College	16 units completed	C010116	16 weeks
College	17 units completed	C010117	17 weeks
College	18 units completed	C010118	18 weeks
Literacy			
Literacy	CASAS Benchmark 1	L010101	2 weeks
Literacy	CASAS Benchmark 2	L010102	2 weeks
Literacy	CASAS Benchmark 3	L010103	2 weeks
Literacy	CASAS Benchmark 4	L010104	2 weeks
Literacy	CASAS Benchmark 5	L010105	2 weeks
Literacy	CASAS Benchmark 6	L010106	2 weeks
Literacy	CASAS Benchmark 7	L010107	2 weeks
Literacy	CASAS Benchmark 8	L010108	2 weeks
Literacy	CASAS Benchmark 9	L010109	2 weeks
Literacy	CASAS Benchmark 10	L010110	2 weeks
Literacy	CASAS Benchmark 11	L010111	2 weeks
Literacy	CASAS Benchmark 12	L010112	2 weeks
Substance Abuse Program			
SAP	Course Completion	S010100	6 weeks
CSAP (CCF)	Course Completion	S020100	6 weeks
Leo Chesney CCF	Course Completion	S030100	6 weeks

California Out-of-State Correctional Facilities (COCF) Milestones Credit Earning Schedule

COCF Academic Milestone Descriptions and Codes

ABE I			
ABE I	0.0 - 1.9 grade point level	A010100	2 weeks
ABE I	2.0 - 2.9 grade point level	A010200	2 weeks
ABE I	3.0 - 3.9 grade point level	A010300	2 weeks
ABE II			
ABE II	4.0 - 4.9 grade point level	A020400	2 weeks
ABE II	5.0 - 5.9 grade point level	A020500	2 weeks
ABE II	6.0 - 6.9 grade point level	A020600	2 weeks
ABE III			
ABE III	7.0 - 7.9 grade point level	A030700	2 weeks
ABE III	8.0 - 8.9 grade point level	A030800	2 weeks
ABE III	9.0 - 9.9 grade point level	A030900	2 weeks
General Education Development			
GED	Reading Comprehension subtest	G010100	1 week
GED	Social Studies subtest	G010200	1 week
GED	Mathematics subtest	G010300	1 week
GED	Science subtest	G010400	1 week
GED	U.S. History subtest	G010500	1 week
GED	GED Completion	G020100	1 week
English as a Second Language (ESL) Programs			
ESL	Beginning ESL I	COCESL1	2 weeks
ESL	Beginning ESL II	COCESL2	2 weeks
ESL	Intermediate ESL	COCESL3	2 weeks
ESL	Advanced ESL	COCESL4	2 weeks
Adult Education in Spanish Programs			
INEA	Primaria	COCINE1	3 weeks
INEA	Secundaria	COCINE2	3 weeks
College			
College	1 unit completed	COCFC01	1 week
College	2 units completed	COCFC02	2 weeks
College	3 units completed	COCFC03	3 weeks
College	4 units completed	COCFC04	4 weeks
College	5 units completed	COCFC05	5 weeks
College	6 units completed	COCFC06	6 weeks
College	7 units completed	COCFC07	7 weeks
College	8 units completed	COCFC08	8 weeks
College	9 units completed	COCFC09	9 weeks
College	10 units completed	COCFC10	10 weeks
College	11 units completed	COCFC11	11 weeks
College	12 units completed	COCFC12	12 weeks
College	13 units completed	COCFC13	13 weeks
College	14 units completed	COCFC14	14 weeks
College	15 units completed	COCFC15	15 weeks
College	16 units completed	COCFC16	16 weeks
College	17 units completed	COCFC17	17 weeks
College	18 units completed	COCFC18	18 weeks

COCF Cognitive Behavioral Milestone Descriptions and Codes			
Criminal Thinking	Thinking For A Change (T4C)	COCT4C1	1 week
Anger Management	Understand and Reducing Anger Feelings (TCU)	COCTCU1	1 week
Criminal Thinking	Unlock Your Thinking, Open Your Mind	COCUYT1	1 week
COCF Substance Abuse Program			
RDAP	Level I Course Completion	COCFRD1	1 week
RDAP	Level II Course Completion	COCFRD2	1 week
RDAP	Level III Course Completion	COCFRD3	1 week
RDAP	Level IV Course Completion	COCFRD4	1 week
RDAP	Level V Course Completion	COCFRD5	1 week
RDAP	Level VI Course Completion	COCFRD6	1 week
COCF Vocational Milestone Descriptions and Codes			
Barbering	Level I	COCBAR1	2 weeks
Barbering	Level II	COCBAR2	2 weeks
Barbering	Level III	COCBAR3	2 weeks
Barbering	Level IV	COCBAR4	2 weeks
Braille	Level I	COCBRA1	1 week
Braille	Level II	COCBRA2	1 week
Braille	Level III	COCBRA3	1 week
Braille	Level IV	COCBRA4	1 week
Braille	Level V	COCBRA5	1 week
Carpentry	Core	COCCAR1	1 week
Carpentry	Level I	COCCAR2	2 weeks
Carpentry	Level II	COCCAR3	2 weeks
CAD	Blueprint Reader	COCCAD1	1 week
CAD	Drafting Assistant	COCCAD2	2 weeks
CAD	Architectural Detailer	COCCAD3	1 week
CAD	Architectural CAD Drafter 1	COCCAD4	1 week
CAD	Architectural CAD Drafter II	COCCAD5	1 week
CAD	Drafter Architectural I	COCCAD6	1 week
CAD	Drafter Architectural II	COCCAD7	1 week
Computer/OSRT	Microsoft Word	COCOSR1	2 weeks
Computer/OSRT	Microsoft Excel	COCOSR2	2 weeks
Computer/OSRT	Microsoft PowerPoint	COCOSR3	2 weeks
Computer/OSRT	Microsoft Access	COCOSR4	2 weeks
Computer/OSRT	IC 3	COCOSR5	2 weeks
Electrical	Core	COCELE1	1 week
Electrical	Level I	COCELE2	2 weeks
Electrical	Level II	COCELE3	2 weeks
Master Gardener	Level I	COCGAR1	1 week
Master Gardener	Level II	COCGAR2	1 week
Master Gardener	Level III	COCGAR3	1 week
KY Workpl. Essentials	Business Reading	COCWPE1	2 weeks
KY Workpl. Essentials	Business Math	COCWPE2	2 weeks
KY Workpl. Essentials	Business Communication and Writing	COCWPE3	2 weeks
KY Workpl. Essentials	Employment Readiness	COCWPE4	2 weeks
Masonry	Core	COCMAS1	1 week
Masonry	Level I	COCMAS2	2 weeks
Masonry	Level II	COCMAS3	2 weeks
Painting	Core	COCPNT1	1 week
Painting	Level I	COCPNT2	2 weeks

GOCF Vocational Milestone Descriptions and Codes*Continued*

Painting	Level II	COCNPT3	2 weeks
Plumbing	Core	COCPLU1	1 week
Plumbing	Level I	COCPLU2	1 weeks
Plumbing	Level II	COCPLU3	1 weeks

TIME CREDIT WAIVER (PC § 2934)

I, _____, (print name) having been committed for an offense which occurred prior to January 1, 1983, understand that conduct credit is granted to me pursuant to Penal Code § 2931. I am aware that under Penal Code § 2931 my term is reduced by one-third for good behavior and participation. Such credit reduction is granted at the time of reception into the Department of Corrections and Rehabilitation and can be taken away only for a disciplinary offense or for failure to participate in assigned activities.

I hereby waive my rights to the provisions of Penal Code § 2931. By making this voluntary waiver, I request the future Time Credit be granted pursuant to Penal Code § 2933 and, if eligible, Penal Code § 2933.05.

Penal Code § 2933 allows for every six months of continuous incarceration, a prisoner shall be awarded credit reductions from his or her term of confinement of six months. A lesser amount of credit based on this ratio shall be awarded for any lesser period of continuous incarceration. In addition to any credit awarded pursuant to Section 2933, the Department may also award eligible prisoners program credit reductions, pursuant to PC 2933.05, from his or her term of confinement.

I am aware that my credit earning status may be changed by the Department at any time. I am aware that I may be placed in zero credit earning status due to disciplinaries and gang member validation. When I am in lockup status due to a disciplinary infraction, zero credit may be applied for a period equal to the number of days of the disciplinary credit loss, this may be extended in six-month increments thereafter.

I am aware and agree that the penalties for disciplinary offenses committed by me are as follows:

Up to 360 days of credit may be denied or lost for any act specified as a division A-1 offense in section 3323(c) of the California Code of Regulations, Title 15.

Up to 180 days of credit may be denied or lost for any act specified as a Division A-2 offense in section 3323(d) of the California Code of Regulations, Title 15, or any other felony not listed as an A-1 offense.

Up to 90 days shall be denied or forfeited for commission of any misdemeanor.

Up to 30 days shall be denied or lost for any act that is a serious rules violation described in the California Code of Regulations, Title 15, unless such act is a misdemeanor or felony offense.

Up to 30 days shall be denied or lost by an inmate who is found by a court to be a vexatious litigant as defined in Section 3000 in the California Code of Regulations, Title 15.

This waiver will be effective only when accepted by the Department. I am also aware that this waiver is irrevocable.

SIGNED:	CDCR NUMBER:	DATE:
WITNESSED (SIGNATURE)	TITLE:	DATE:
WITNESS' NAME (PRINT OR TYPE):	This waiver is accepted by the Department of Corrections and Rehabilitation and is effective (DATE):	

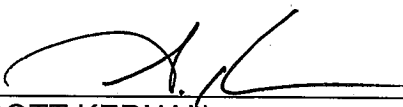
CERTIFICATION OF OPERATIONAL NECESSITY
[Per Penal Code Section 5058.3]

This action adopts provisions governing Inmate Work and Education, specifically credit earning enhancements. On October 12, 2009, Senate Bill (SB) X3-18 was signed into law. SBX3-18, in part, acts to amend Penal Code (PC) sections 2932, 2933, 2933.2, 2933.3, 2933.5, 2933.6, 2934, 2935, 4019, and to adopt Section 2933.05 relating to inmate credit earning in the California Department of Corrections and Rehabilitation.

The legislation provides a number of credit-earning enhancements that will encourage the inmate population to complete approved rehabilitative programs. Credits will also be increased for disciplinary-free time served in county jail or while waiting for programs to become available. This measure is also expected to reduce the inmate population by several thousand when fully implemented.

This legislation mandates that, by January 25, 2010, the Department shall promulgate regulations that provide for program completion credits for inmates who successfully complete California Department of Corrections and Rehabilitation (CDCR) approved rehabilitative programming. Thus, to comply with the law, it is necessary to file these regulations on an emergency Operational Necessity basis under PC section 5058.3 to ensure that these provisions provide the appropriate authority and direction needed for the review, approval, and awarding of program completion credits to qualifying inmates.

I, Scott Kernan, Undersecretary of Operations, CDCR, certify that the operational needs of the Department require the proposed revisions to the California Code of Regulations, Title 15, sections 3040, 3040.1, 3040.2, 3041, 3041.2, 3042, 3043, 3043.1, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045, 3045.1, 3045.2 and 3045.3, pursuant to PC section 5058.3.



SCOTT KERNAN
Undersecretary, Operations
Department of Corrections and Rehabilitation

12-16-09

Date